

Town of Riverview

COUNCIL REPORT FORM



Presented to: Mayor & Council

Department: Corporate Services

Date: September 20, 2022

Subject: Research Results – Proposed ATV Routes

BACKGROUND

During a previous Council meeting the Albert County Trail Blazers made a presentation to Council requesting that an extension to the current ATV trails be considered. The proposed route would provide access to additional roads in the community, between Trites Road and Pine Glen Road, as seen in the attached map. These additional routes would provide ATV users access to more commercial properties like gas stations, restaurants and groceries.

Should Council consider adding these additional routes, a By-law will be created to govern the use of all off-road vehicles.

CONSIDERATIONS

Other Communities

Staff researched other communities in the Province and of the 30 towns researched, only 7 of them had Off-Road Vehicle by-laws; Bathurst, Dalhousie, Edmundston, Grand Falls, Sackville, Shediac, and St. Stephen. The majority of the by-laws only allow designated road crossings or access on short lengths of road to give users the ability to connect from one trail to another. Shediac is the only community to allow extensive access to town streets.

Most of the by-laws also restrict speed limits to between 20-40 km per hour and some restrict usage to members of the NB ATV Federation only.

Survey Results

In August 2022 a survey was posted on our social media sites and our webpage requesting residents to offer their opinions. A letter was also sent to all residents and businesses along the proposed routes advising them of the survey and requesting their opinion – either through the survey or by a written response to the Town Clerk.

A total of 632 responses were received from the survey and through direct responses to the Town Clerk. The data collected from the survey has been compiled into a report which is attached. The data shows

that 70% of the respondents living in Riverview were in favour of off-road vehicles being allowed access to designated town streets, with 25% not in favour and 5% being unsure.

Those in favour of creating a by-law indicated convenience, increase in customers for local businesses and safer roads for ATVs as reasons for supporting more access to roads.

Those against the creation of a by-law were mostly concerned with noise levels, safety and lack of enforcement.

Correspondence was also received from NB Power who advised that they have “concerns regarding the request by the Albert County Trailblazers, and need additional time to review adequately.” They will forward their concerns to us once they have completed their review.

Staff Concerns

In addition to any concerns NB Power may have, staff have concerns as well – mainly with the issue of enforcement. By-law Enforcement Officers have no authority under the NB Motor Vehicle Act or the Off-Road Vehicle Act to enforce registration, helmet, insurance or mechanical fitness of the vehicle. Therefore, the Province’s Off-Road Vehicle Enforcement Officer or a member of the RCMP will be required to enforce those violations, as well as possible impaired driving and speeding. Our By-law Enforcement Officers can issue violations for not travelling on designated trails, however, the problem then would be catching the violator with limited staff and equipment.

An argument against our concerns could be that designated trails would allow those ATV owners who abide by all rules, to access commercial areas without having to break any laws. The riders who won’t abide by the rules are likely not currently being compliant, nor will they ever.

RECOMMENDATION FROM STAFF

Staff recommends to Council to wait until NB Power have provided their concerns before making a final decision on this matter. We expect to have a reply from them by the Committee of the Whole meeting on October 24, 2022.

Prepared by: Annette Crummey, Director of Corporate Services/Town Clerk

Report Approval Details

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Attachments:	
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This report and all of its attachments were approved and signed as outlined below:

Colin Smith - Sep 21, 2022 - 3:58 PM